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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/656,511	09/07/2000	Fred S. Cook	1412	2314

			EXAMINER
28004	7590	07/13/2004	HAYES, JOHN W

SPRINT
6391 SPRINT PARKWAY
KSOPHT0101-Z2100
OVERLAND PARK, KS 66251-2100

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 07/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 April 2004*.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *07 September 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR

1.17(e), was filed in this application after final rejection. Since this application is eligible for continued

examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the

finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's

submission filed on 21 April 2004 has been entered.

Status of Claims

2.   Applicant has amended claims 1, 4-5, 10, 13-14, 19 and 22-23 in the amendment filed 21 April 2004.

Thus, claims 1-27 remain pending and are again presented for examination.

Response to Arguments

3.   With respect to the previous 35 U.S.C. § 102 rejection of claims 10-18, applicant's arguments are

persuasive and, therefore, the rejection has been withdrawn.

Applicant included a response to examiner's previous assertion that applicant appeared to be

improperly attacking the references individually when the rejection was based upon a combination of

references. Applicant states "Assume a hypothetical claim includes limitations A and B, and an examiner

rejects limitation A using reference 1 and rejects limitation B using reference 2. In response to the

rejection, an applicant may properly show that reference 1 does not teach limitations A and B. The

applicant may also show that reference 2 does not teach limitations A and B. If the applicant shows that

neither reference 1 or 2 teaches limitations A and B, then the combination of references 1 and 2 cannot

teach limitations A and B. Thus, attacking the references individually is entirely proper". Examiner

respectfully disagrees with this line of reasoning. If this was true, then there would be no purpose to a

rejection based upon obviousness. Examiner submits that this argument may be an appropriate

response for a rejection that was based upon anticipation (35 USC 102), but not a rejection based upon

obviousness (35 USC 103) where a combination of references was used to reject the claim limitations.

Examiner respectfully submits that it is entirely proper to show reference 1 as teaching limitation A and

reference 2 as teaching limitation B, and combining the references to show a teaching of A and B as long

as there is proper motivation for doing so. It is not required that either reference teach A and B

individually. One cannot show nonobviousness by attacking references individually where the rejections

are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981);

In re Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

4.   Applicant argues that neither Cooper nor de Fabrega teaches executing a script t create an intranet

configuration. Applicant further states that the pending application defines an "intranet configuration" as

any connection or group of connections between one or more communication devices that provide

intranet services". Applicant further states that, in claim 1, based on the intranet access information

provided by the intranet access card, the script creates connections within the intranet and further states

that Cooper does not teach or describe information on a card that creates connections within an intranet,

but rather teaches an access card that enables the user to access a network. Applicant argues that

Cooper involves configurations to an intranet rather than configurations in the intranet. Examiner

submits, however, that given the broadest interpretation of the claims, they are not limited to only

configurations within an intranet. The claims merely focus on connecting a user to an intranet

configuration to provide intranet services. Examiner submits that this does not limit the claims in such a

way as to exclude providing access to an intranet from external members such as that disclosed by

Cooper. Cooper even discloses that the method may be used by users to gain access to a company's

corporate network (0299). Furthermore, applicant's specification specifically discloses the following: "An

intranet according to the present invention might or might not use Internet software and circuits and could

also incorporate extranet features to provide information to both internal and external members" (Page 4,

lines 1-5). Thus, examiner submits that the claims are not interpreted by the examiner to exclude

connecting to an intranet from a location external to the intranet.

5.   Applicant further argues that neither Cooper nor de Fabrega teaches an intranet configuration wherein the intranet services provided to a user depend on the particular intranet configuration. Examiner respectfully disagrees and submits that Cooper teaches the user will automatically be configured with the correct type of security, appropriate user interfaces and message access agents (0294). Cooper further discloses configuring the network and dialup connections, user interfaces, user preferences, server access methods required for the user session (0297, 0298, 0312). The user is configured to run applications with software they already know how to use such as email, fax, voice mail, video mail, pager and unified mailbox messages (0299), and the optional capability to run office suites such as Lotus Notes, Microsoft Office, Excel, Word, scheduling, directory access, Wordperfect and other computer applications (0321). Thus, examiner submits that the user's access to these services would depend upon their individual user settings and preferences stored on their card.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper et al, U.S. Patent Application Publication No. US 2002/0029350 A1 in view of de Fabrega, U.S. Patent Application Publication No. US 2001/0054019 A1.

As per **Claims 1-2**, Cooper et al disclose method for providing access to an intranet, the method comprising:

- providing intranet access cards to users, wherein the intranet access cards include intranet access information (0287);

- receiving a first request message for access to the intranet from a first user who receives a first intranet access card, wherein the first request message includes first intranet access information for an intranet configuration providing access to intranet services (0294; 0296; 0309);

- processing the first request message to determine if an intranet configuration exists (0294; 0296);

- in response to determining the intranet configuration exists, processing the first intranet access information to connect the first user to the intranet configuration to provide intranet services associated with the first intranet access card to the first user, wherein the intranet services provided depend on the intranet configuration (0294; 0298; 0299; 0312);

Cooper et al, however, does not disclose creating an intranet configuration in response to determining the intranet configuration does not exist and connecting the user to the intranet configuration since Cooper et al assumes that the authenticated user already has been previously configured for access. De Fabrega discloses a public access kiosk providing the capability to access an intranet and teaches accessing an existing intranet customer configuration using a prepaid card (0023; 0032; 0054; 0056; 0057; 0063). De Fabrega also disclose the ability to create an intranet configuration if one does not yet exist for the customer and connecting the customer to the configuration after it is created (0023; 0032; 0053; 0054). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Cooper et al and adopt the teachings of de Fabrega by incorporating the ability to create a intranet configuration for users that have not yet established an intranet configuration by executing a script and connecting the users to this newly established configuration and provide particular services to the user based on configuration data stored on the card as taught by Cooper. One would have been motivated to include this feature so that new users would have a means of establishing an account or configuration in order to use the services offered by the intranet.

As per **Claim 3**, Cooper et al further disclose:

- in response to determining the intranet configuration exists, processing the first request message to determine if the first card configuration exists (0294; 0296);

- in response to determining the first card configuration exists, processing the first request message to connect the first user to the intranet configuration (0294; 0298; 0299; 0312);

Cooper et al, however, does not disclose creating a first card configuration in response to determining the first card configuration does not exist and connecting the first user to the intranet configuration since Cooper et al assumes that the authenticated user already has been previously configured for access. De Fabrega discloses a public access kiosk providing the capability to access an intranet and teaches accessing an existing intranet customer configuration using a prepaid card (0023; 0032; 0054; 0056; 0057; 0063). De Fabrega also disclose the ability to create an intranet configuration if one does not yet exist for the customer and connecting the customer to the configuration after it is created (0023; 0032; 0053; 0054). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Cooper et al and adopt the teachings of de Fabrega by incorporating the ability to create a intranet configuration for users that have not yet established an intranet configuration and connecting the users to this newly established configuration and provide particular services to the user based on configuration data stored on the card as taught by Cooper. One would have been motivated to include this feature so that new users would have a means of establishing an account or configuration in order to use the services offered by the intranet.

As per **Claim 4**, Cooper et al further disclose (see 0287; 0294; 0297; 0298; 0312):

- generating a first query message that includes a request for first intranet access information provided with the first intranet access card;

- transmitting the first query message;

- receiving a first response message that includes the first intranet access information; and

- processing the first intranet access information to determine if the intranet configuration exists.

As per **Claim 5**, Cooper et al further disclose (see 0287; 0292; 0293; 0296; 0297; 0298; 0299;

0312):

- processing the first intranet access information to validate the first intranet access card;

As per **Claim 6**, Cooper et al further disclose:

- in response to validating the first intranet access card, executing an intranet card configuration

script to configure a requesting communication device for access to the intranet configuration using the

first intranet card (0287; 0294; 0298; 0299; 0312); and

- storing the first card configuration (0294).

Claims 7-9 are rejected under the same rationale as discussed above with respect to claims 1

and 4-6. Furthermore, it would have been obvious to one having ordinary skill in the art, in view of the

teachings of Cooper et al, that multiple user cards and multiple user intranet configurations would exist

since Cooper et al disclose that each user is provided with a User Access Card (UAC) that contains the

actual network configuration address and parameters for the users access. Thus, the system as taught

by Cooper et al would provide access to any number of users with different configurations.

As per **Claims 10-11 and 19-20**, Cooper et al disclose an intranet platform system comprising:

a processing system (Figures 1-2) configured to process a first request message from a user

having a first intranet access card to determine if an intranet configuration exists, wherein the first request

message includes first intranet access information for an intranet configuration providing access to

intranet services (0294; 0296; 0309), in response to determining the intranet configuration exists,

processing the first intranet access information to connect a first user to the intranet configuration to

provide intranet services associated with the first intranet access card to the first user, wherein the

intranet services provided depend on the intranet configuration (0294; 0298; 0299; 0312),

an interface system (Figures 1-2) coupled to the processing system and configured to receive the first request message for the processing system from the first user who receives a first intranet access card (0294; 0296);

a storage medium operational to store processing system instructions and interface system instructions (Figures 1-2

Cooper et al, however, does not disclose creating an intranet configuration in response to determining the intranet configuration does not exist and connecting the user to the intranet configuration since Cooper et al assumes that the authenticated user already has been previously configured for access. De Fabrega discloses a public access kiosk providing the capability to access an intranet and teaches accessing an existing intranet customer configuration using a prepaid card (0023; 0032; 0054; 0056; 0057; 0063). De Fabrega also disclose the ability to create an intranet configuration if one does not yet exist for the customer and connecting the customer to the configuration after it is created (0023; 0032; 0053; 0054). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Cooper et al and adopt the teachings of de Fabrega by incorporating the ability to create a intranet configuration for users that have not yet established an intranet configuration by executing a script and connecting the users to this newly established configuration and provide particular services to the user based on configuration data stored on the card as taught by Cooper. One would have been motivated to include this feature so that new users would have a means of establishing an account or configuration in order to use the services offered by the intranet.

As per **Claims 12 and 21**, Cooper et al further disclose wherein the processing system is configured to :

- in response to determining the intranet configuration exists, processing the first request message to determine if the first card configuration exists (0294; 0296);

- in response to determining the first card configuration exists, processing the first request message to connect the first user to the intranet configuration (0294; 0298; 0299; 0312);

Cooper et al, however, does not disclose creating a first card configuration in response to determining the first card configuration does not exist and connecting the first user to the intranet configuration since Cooper et al assumes that the authenticated user already has been previously configured for access. De Fabrega discloses a public access kiosk providing the capability to access an intranet and teaches accessing an existing intranet customer configuration using a prepaid card (0023; 0032; 0054; 0056; 0057; 0063). De Fabrega also disclose the ability to create an intranet configuration if one does not yet exist for the customer and connecting the customer to the configuration after it is created (0023; 0032; 0053; 0054). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Cooper et al and adopt the teachings of de Fabrega by incorporating the ability to create a intranet configuration for users that have not yet established an intranet configuration and connecting the users to this newly established configuration. One would have been motivated to include this feature so that new users would have a means of establishing an account or configuration in order to use the services offered by the intranet.

As per **Claims 13 and 22**, Cooper et al further disclose wherein the processing system is configured to (see 0287; 0294; 0297; 0298; 0312):

- generating a first query message that includes a request for first intranet access information provided with the first intranet access card; and

- processing the first intranet access information to determine if the intranet configuration exists; and wherein the interface system is configured to:

- transmitting the first query message;

- receiving a first response message for the processing system

As per **Claims 14 and 23**, Cooper et al further disclose wherein the processing system is configured to (see 0287; 0292; 0293; 0296; 0297; 0298; 0299; 0312):

- processing the first intranet access information to validate the first intranet access card;

As per **Claims 15 and 24**, Cooper et al further disclose wherein the processing system is configured:

- in response to validating the first intranet access card, executing an intranet card configuration script to configure a requesting communication device for access to the intranet configuration using the first intranet card (0287; 0294; 0298; 0299; 0312); and

- storing the first card configuration (0294).

Claims 16-18 are rejected under the same rationale as discussed above with respect to claims 10 and 13-15. Furthermore, it would have been obvious to one having ordinary skill in the art, in view of the teachings of Cooper et al, that multiple user cards and multiple user intranet configurations would exist since Cooper et al disclose that each user is provided with a User Access Card (UAC) that contains the actual network configuration address and parameters for the users access. Thus, the system as taught by Cooper et al would provide access to any number of users with different configurations.

Claims 25-27 are rejected under the same rationale as discussed above with respect to claims 19 and 22-24. Furthermore, it would have been obvious to one having ordinary skill in the art, in view of the teachings of Cooper et al, that multiple user cards and multiple user intranet configurations would exist since Cooper et al disclose that each user is provided with a User Access Card (UAC) that contains the actual network configuration address and parameters for the users access. Thus, the system as taught by Cooper et al would provide access to any number of users with different configurations.

Conclusion

8. **Examiner's Note**: Examiner has cited particular paragraphs in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the

responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention.

9.   The prior art <u>previously</u> made of record and not relied upon is considered pertinent to applicant's disclosure.

• Moore et al disclose a system and method for providing prepaid services via an internet protocol and teach wherein a company has a intranet web site and provides prepaid services to its employees by accessing the intranet web site

• Barnier et al disclose an extranet architecture and further teach wherein subscribers may be provided with access to a private network and each subscribers configuration is determined by what applications the user or user's organization has subscribed to and wherein each subscriber may have its own intranet architecture coupling its various organizations which can be located at various geographic sites

• Vilhuber discloses a system for providing clients access to a network connections and assigns limited access privileges to the clients based upon user access information and further discloses connecting the user to the connection based upon user access information supplied from a token card

• Nordman discloses a secure access method for accessing a private IP network with a wireless host

• Vadlamani discloses prepaid fixed quantity access to web services

• Curtis discloses multi-media remote data access terminals for connecting a user to a corporate network for access to corporate e-mail, voice mail, schedules, etc.

• Tatham et al disclose a network based groupware system wherein a primary user configures an intranet workspace for various group member access.

10.   Any inquiry concerning this communication or earlier communications from the examiner should

be directed to John Hayes whose telephone number is (703)306-5447. The examiner can normally be

reached Monday through Friday from 5:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim

Trammell, can be reached on (703) 305-9768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be

directed to the receptionist whose telephone number is (703) 308-1113.

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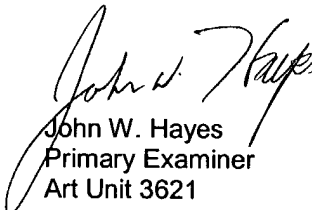
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John W. Hayes
Primary Examiner
Art Unit 3621

July 7, 2004